



## **PLANNING DIRECTOR'S HEARING AGENDA**

**WEDNESDAY, AUGUST 17, 2005**

9:00 a.m.  
City Council Chambers  
Room 205  
City Hall

801 North First Street  
San Jose, California

### **Hearing Officers**

**Jean Hamilton, AICP, Principal Planner**

**Susan Walton, Principal Planner**

**Plan Implementation Division  
Joseph Horwedel, Deputy Director**

**Stephen M. Haase, AICP  
Director Planning, Building, and Code Enforcement**

## NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 277-4576 (VOICE), 998-5299 (TTY) at least two days, (48 hours) before the meeting. If you requested such an accommodation and have not already identified yourself to the technician seated at the staff table, please do so now. If you did not call in advance and do now need assistance, please see the technician.

## NOTICE TO THE PUBLIC

Good morning, this is the Planning Director's Hearing of **August 17, 2005**. My name is \_\_\_\_\_ and I am the Hearing Officer for today's agenda. On behalf of the Planning Director, I would like to welcome you to this Public Hearing. Please remember to turn off all cell phones and pagers. A copy of the agenda is available on the table by the door for your convenience.

The procedure for this hearing is as follows:

- Hearing Officer will identify the project as described on the agenda
- Staff report
- After the staff report, applicant and/or representative will have up to 5 minutes to speak and should make themselves known as their item comes up by approaching the microphone and identifying themselves and stating their home address, or just wave from the audience if you do not wish to speak
- Public testimony of up to 2 minutes, either for or against the project. Please state name and home address for the record
- After the public testimony, the applicant may make closing remarks of up to 5 minutes
- The Hearing Officer may ask questions of the speaker
- The public hearing will then be closed and the Hearing Officer will take action on the item. The Hearing Officer may request staff to respond to the public testimony, ask staff questions, and discuss the item

**If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.**

**The Planning Director's action on these agenda items is final when the permit is signed and mailed, unless the permit is appealed.** The Planning Director's actions are appealable in accordance with the requirements of Title 20 of the Municipal Zoning Code.

**Note:** If you have any agenda changes, please contact Larry Ng ([larry.ng@sanjoseca.gov](mailto:larry.ng@sanjoseca.gov)).

## **AGENDA**

### **ORDER OF BUSINESS**

#### **1. DEFERRALS**

Any item scheduled for hearing this morning for which deferral is being requested will be taken out of order, to be heard first on the matter of deferral. A list of staff recommended deferrals is available on the table. I will identify the items to be deferred and then ask for comments from the audience. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time. I will now open the public hearing. The following items are proposed to be deferred.

- a. **H04-026. Site Development Permit** to demolish an existing one story residential structure and to construct a two-story building for retail and office uses on a .75 gross acre site in the Commercial Pedestrian (CP) Zoning District located on the west side of Saratoga Avenue, approximately 100 feet north of Williams Road ( 977 & 995 Saratoga Avenue), (Adam Askari, Owner). Council District 1. SNI: None. CEQA: Exempt. **Deferred to 9/28/05**

**The matter of deferrals is now closed.**

#### **2. CONSENT CALENDAR**

##### **NOTICE TO THE PUBLIC**

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by the Director of Planning, staff, or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please come to the podium at this time.

- a. **SP05-025. Special Use Permit** to allow a 2-day church sponsored special event (festival/carnival) on September 16,& 17, 2005 on a 8.9 gross acre site in the R-1-1 Single-Family Residence Zoning District, located on the east side of Pearl Avenue approximately 140 feet north of Koreza Drive (4848 PEARL AV) (Roman Catholic Bishop Of San Jose, Owner). Council District 9. SNI: None. CEQA: Exempt
- b. **HA86-196-01. Site Development Permit Amendment** to construct a 236 square foot addition to an existing duplex on a 0.15 gross acre site in the R-2 Two-Family Residence Zoning District, located on the west side of North 34<sup>th</sup> Street, approximately 330 feet northerly of Alum Rock Avenue (47 N. 34<sup>th</sup> Street) (Marcelo Antonio And Maria M, Owner). Council District 3. CEQA: Exempt. SNI: Five Wounds/Brookwood Terrace.
- c. **PD05-025. Planned Development Permit** to construct two single-family attached residences on a 0.16 gross acre site in the A(PD) Planned Development Zoning District, located at/on the west side of Revey Avenue approximately 100 feet northerly of Bailey Avenue (Behrouzian Behrouz And Parivash Et Al,

Owner). Council District 6. SNI: Burbank/Del Monte. CEQA: Exempt.

- d. **SP05-029. Special Use Permit** to allow a farmer's market to occur weekly up to 30 days per year in an existing parking lot with alternate and off-site parking arrangements on a 2.3 gross acre site in the CP Pedestrian Commercial, R-M Multiple Residence, and R-1-8 Residence Zoning Districts, located on the west side of Lincoln Avenue, approximately 300 feet southerly of Willow Street (1147 LINCOLN AV) (Schiro Shirlee D Et Al, and Louis Tsigaris, Owners). Council District 6. SNI: None. CEQA: Exempt.
- e. **TR05-046. Tree Removal Permit** to remove 1 Ash tree, 113 foot circumference on a 0.11 gross acre site in the R-1-8 Single-Family Residence Zoning District, located on the east side of Mt. Palomar Drive, approximately 450 feet northerly of Mt. Hood Way (1482 MT PALOMAR DR) (Bosworth Phyllis, Owner). Council District 5. CEQA: Exempt. **Deferred from 8/10/05**
- f. **HP05-004. Historic Preservation Permit** to allow exterior modifications to the State Meat Market Building (City Landmark No. HL92-70) in the Downtown Commercial National Register Historic District on a 0.14 gross acre site, in the DC Downtown Primary Commercial Zoning District, located at/on the southwest corner of East Santa Clara Street and South 4th Street (142 E SANTA CLARA ST) (Mr Roger Donnelly). Council District 3. SNI: University. CEQA: Exempt. **Deferred from 8/10/05**
- g. The projects being considered are located in the median of Santana Row (368 SANTANA ROW), in the A(PD) Planned Development Zoning District (FRIT/San Jose Town & Country LLC, Owner). Council District 6. SNI: None. CEQA: Environmental Impact Report, File No. PDC97-036.
  - 1. **PD05-040. Planned Development Permit** to allow a public drinking establishment (wine bar) at Santana Row on a 0.34 gross acre site.
  - 2. **ABC05-002. Liquor License Exception** to allow on-sale of alcoholic beverages (wine tasting) at a retail store in Santana Row on a 0.34 gross acre site.

**The consent calendar is now closed.**

### **3. PUBLIC HEARING**

None

**This concludes the Planning Director's Hearing for August 17, 2005. Thank you.**

PLANNING DIRECTOR'S AGENDA ON THE WEB:

<http://www.sanjoseca.gov/planning/hearings/index.htm>

PUBLIC INFORMATION COUNTER

(408) 277-4576 CITY OF SAN JOSE

**DEPARTMENT OF PLANNING, BUILDING AND CODE ENFORCEMENT  
PLANNING DIRECTOR'S HEARING**

**Synopsis of Staff Recommendations**

**August 10, 2005**

**PUBLIC HEARINGS**

**1. DEFERRALS**

- a. **HP05-004**                      **Deferred to 8/17/05**

**2. CONSENT CALENDAR**

- |                        |                            |
|------------------------|----------------------------|
| a. <b>T05-053</b>      | <b>APPROVED</b>            |
| b. <b>SF05-010</b>     | <b>APPROVED</b>            |
| c. <b>TR05-064</b>     | <b>APPROVED</b>            |
| d. <b>SF05-017</b>     | <b>APPROVED</b>            |
| e. <b>TR05-024</b>     | <b>APPROVED</b>            |
| f. <b>TR 05-011</b>    | <b>APPROVED</b>            |
| g. <b>TR05-071</b>     | <b>APPROVED</b>            |
| h. <b>PDA98-033-01</b> | <b>APPROVED</b>            |
| i. <b>PDA96-068-01</b> | <b>APPROVED</b>            |
| j. <b>SP05-026</b>     | <b>APPROVED</b>            |
| k. <b>SP05-030</b>     | <b>Deferred to 9/28/05</b> |
| l. <b>SP05-028</b>     | <b>APPROVED</b>            |
| m. <b>H05-033</b>      | <b>APPROVED</b>            |
| n. <b>PDA03-065-02</b> | <b>APPROVED</b>            |
| o. <b>TR05-046</b>     | <b>APPROVED</b>            |
| p. <b>PD 05-017</b>    | <b>APPROVED</b>            |
| q. <b>SP02-006</b>     | <b>DENIAL</b>              |

- r. **SP05-008**      **APPROVED**
- s. **SP05-018**      **APPROVED**
- t. **SP05-017**      **APPROVED**
- u.1 **PD05-035**      **APPROVED**
- u.2 **PT05-046**      **APPROVED**
- v.1 **PD05-030**      **APPROVED**
- v.2 **PT05-035**      **APPROVED**

### **3.    PUBLIC HEARING**

- a. **TR05-076**      **DENIAL**